

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION

LAMMERS BARREL PRP GROUP,	)	CASE NO. 3:17-cv-00135-WHR
	)	
Plaintiff,	)	JUDGE WALTER H. RICE
	)	MAGISTRATE JUDGE SHARON L.
v.	)	OVINGTON
	)	
CARBOLINE COMPANY, <i>et al.</i>	)	<b>ETC SUNOCO HOLDINGS, LLC</b>
	)	<b>F/K/A SUNOCO, INC.'S AND</b>
Defendants.	)	<b>CARBOLINE COMPANY'S</b>
	)	<b>MOTION IN LIMINE TO EXCLUDE</b>
	)	<b>NEWSPAPER ARTICLES AND</b>
	)	<b>COLUMNS AND OTHER HEARSAY</b>
	)	<b>EVIDENCE</b>

Pursuant to Rule 802 of the Federal Rules of Evidence, Defendants ETC Sunoco Holdings, LLC f/k/a Sunoco, Inc. (“Sunoco”) and Carbole Company (“Carbole”), by and through their undersigned counsel, move the Court *in limine* for an Order precluding Plaintiff, Lammers Barrel PRP Group (“Plaintiff”), from introducing into evidence, or from having its expert express opinions based upon, any newspaper articles or columns or other such inadmissible hearsay. As set forth more fully in the attached Memorandum in Support of this Motion, which is incorporated herein by reference, although such articles are older than the January 1, 1998 threshold set forth in Evidence Rule 803(16), the articles themselves contain hearsay not subject to any proper exception from exclusion under Evidence Rule 802.

Date: November 5, 2019

Respectfully submitted,

/s/ William E. Coughlin  
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Attorneys for Defendants ETC Sunoco Holdings, LLC f/k/a Sunoco, Inc. and CarboLine Company

**CERTIFICATE OF SERVICE**

I hereby certify that on November 5, 2019, the foregoing **ETC SUNOCO HOLDINGS, LLC F/K/A SUNOCO, INC.'S AND CARBOLINE COMPANY'S MOTION IN LIMINE TO EXCLUDE NEWSPAPER ARTICLES AND COLUMNS AND OTHER HEARSAY EVIDENCE**, with its Memorandum in Support, was filed electronically. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt. Parties may access this filing through the Court's system.

/s/William E. Coughlin

One of the Attorneys for ETC Sunoco Holdings, LLC f/k/a Sunoco, Inc. and Carboline Company